

March 30, 1977

LB 494, 494A,  
196

SENATOR R. LEWIS: I visited with Senator Frank Lewis about this. He does not plan to put the kill motion on 494, I don't believe. He said he would withdraw it. I have no objection if he wants to put it on the A bill, 494A. If this can be worked out, I would have no objection.

SPEAKER LUEDTKE: The Clerk advises me that that is what the Clerk understood, however, we need Senator Frank Lewis here. Would the Sergeant at Arms please find Senator Frank Lewis. Senator Frank Lewis, wherever you are, we're waiting for you. I think we'll.... Let's, momentarily, pass by LB 494 and, since 109 will take a considerable time, let's go to the last two. I understand there are bracketing motions on both of them. LB 196.

CLERK: LB 196, Mr. President. There are no E & R amendments to the bill. There was an amendment offered by Senator Stoney which has been adopted. There is an amendment now offered by Senator Simon as follows: (Read Simon amendment found on page 1085 of the Journal).

SPEAKER LUEDTKE: Chair recognizes Senator Simon.

SENATOR SIMON: Senator Chambers had mentioned to me and brought up the very valid point that according to the way the bill was written, if a person had parked their car and the meter had expired, and they ran back to their car and noticed that the meter had already expired, in fact they were supposed to get a ticket and they pulled away, they would in fact be trying to violate the law. Of course, this was not the intent. Therefore, I have incorporated nonmoving violations which would include basically this type of violation as well as parking on a red line. I would think if you don't have a proper sticker, these types of things which are very minor. That was not the intent of the bill. I move for the adoption of this amendment.

SPEAKER LUEDTKE: Is there any discussion on the Simon amendment to LB 196? If not, all those in favor of the Simon amendment vote aye, opposed nay. Have you all voted? We're voting on LB 196. Senator Simons' amendment. Have you all voted? Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President.

SPEAKER LUEDTKE: The Simon amendment is adopted to LB 196.

CLERK: Mr. President, I overlooked an amendment offered by Senator Stoney which has been printed in the Journal. (Read Stoney amendment found on page 1085 of the Journal).

SPEAKER LUEDTKE: Chair recognizes Senator Stoney.

SENATOR STONEY: Mr. President, members of the Legislature. This is the amendment that the Committee had adopted prior to the time that we advanced the bill to the floor. It was not adopted last week. There were not, I don't believe, too many members present at the time that we discussed the reason for adopting the "may" language rather than "shall". We just felt, in the former subsection 4 when an individual who's been convicted of such offense and can be fined a sum not to exceed \$500 or imprisoned for not more than six months,